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March 4, 2008

BY HAND DELIVERY

The Honorable Claudia Wilken
United States District Court
1301 Clay Street, 4th Floor
Oakland, California 94612

Re: United States v. Garcia-Graciano CR0-0790 CW

Dear Judge Wilken:

The above-captioned matter is on Your Honor's calendar for status on March 5, 2008 at 2:00 p.m. Enclosed is a copy of the Information that the government filed today, as well as a copy of an unexecuted Plea Agreement. As the enclosed plea agreement calls for a sentence of time served, I understand that Mr. Garcia-Graciano may wish to waive a presentence report and proceed to change of plea, judgment, and sentencing at the hearing. The government has no objection to the defendant's request to be sentenced without a presentence report at the hearing.

Thank you for your consideration of this matter.

Very truly yours,

JOSEPH P. RUSSONIELLO
United States Attorney

CHINHAYI J. COLEMAN
Assistant United States Attorneys

Enclosures

cc: Joyce Leavitt, Assistant Federal Public Defender (with attachments)